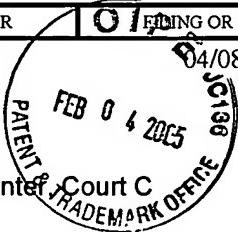




UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	RE FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/820,522	04/08/2004	Joseph L. Arvin	10224-2-2



Jerry A. Schulman  
Terrace Executive Center, Court C  
One South  
376 Summit Avenue  
Oakbrook Terrace, IL 60181

**CONFIRMATION NO. 8343**  
**FORMALITIES LETTER**



\*OC000000014824887\*

Date Mailed: 12/23/2004

**NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)**

***Filing Date Granted***

The U.S. Patent and Trademark Office has received your reply on 12/06/2004 to the Notice to File Missing Parts (Notice) mailed 08/02/2004 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application. Replies should be mailed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$100 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is \$100 for a Small Entity

- Total additional claim fee(s) for this application is \$100
  - \$100 for 3 independent claims over 3.

Replies should be mailed to: Mail Stop Missing Parts

02/08/2005 DTESEM1 00000044 10820522      Commissioner for Patents  
01 FC:2201      100.00 OP      P.O. Box 1450

Alexandria VA 22313-1450

---

*A copy of this notice **MUST** be returned with the reply.*



---

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Attorney Docket 10224-2-2

### CERTIFICATE OF MAILING

Date of Deposit: January 31, 2004

I hereby certify that the foregoing correspondence, consisting of REQUEST FOR EXTENSION OF TIME, is being deposited with the United States Postal Service as first class mail, postage prepaid, on the date indicated above and is addressed to Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.



Jerry A. Schulman  
Registration No. 27,834

A handwritten signature in black ink, appearing to read "Jerry A. Schulman". Below the signature, the name "Jerry A. Schulman" is printed in a smaller, sans-serif font, followed by "Registration No. 27,834".

Law Offices of Jerry A. Schulman  
Terrace Executive Center, Court C  
1 South 376 Summit Avenue  
Oakbrook Terrace, Illinois 60181

Telephone: (630)627-4552  
Facsimile: (630)627-2145



Attorney Docket 10224-2-2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**APPLICANT:** Joseph L. Arvin

)

**SERIAL NO.:** 10/820,522

)

Art Unit 3722

**FILING DATE:** 04 Apr 2004

)

**TITLE:** Apparatus and Method for  
Machining Workpieces

)  
)  
)

Oakbrook Terrace, Illinois  
January 31, 2005

The Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

**RESPONSE TO NOTICE OF INCOMPLETE REPLY  
AND PETITION FOR REFUND**

Enclosed are a copy of the Notice to File Missing Parts of Nonprovisional Application mailed August 2, 2004 and the Notice of Incomplete Reply mailed December 23, 2004. We believe that the fees required by the Notice to File Missing Parts were correctly and timely paid and although we are enclosing payment for the additional fees and extension fee required for this response we are asking that the Patent Office acknowledge the error and immediately refund the enclosed payment.

I have tried numerous times to reach the Initial Patent Examination Division by telephone at (703)308-1202, the number printed on the Notice, and have left several messages but none have been returned. Today I spoke to Shirene Willis of the Office of Petitions who advised me that our prior payments were indeed noted in the financial records of the Patent Office. At her advice, we are filing this Response and Petition.

**Facts**

After reviewing the Notice of Incomplete reply I do not understand the basis for the determination that an additional \$100 is due to be paid for an additional independent claim in excess of three.

The application, as filed, contained independent claims numbered 1, 4, 7, 11, and 14. A preamble for a Claim 19 was mistakenly included on page 31 of the application and was

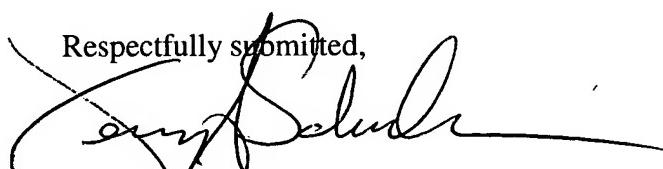
apparently considered by the Office to be an additional independent claim.

The original fee transmittal sheet listed five independent claims and an additional fee of \$86.00 for two additional independent claims in excess of three was included with the payment of the basic filing fee. A copy of the fee transmittal is attached. The Notice to File Missing Parts required the payment of \$43.00 as the fee for the additional independent "Claim 19" and a \$65.00 surcharge for the filing of the inventor's oath, for a total of \$108.00. Both of these amounts were paid by a charge authorization for \$108, leaving the application in fully paid-up status.

If the additional amount charged in the Notice of Incomplete Reply is based upon the fee schedule that went into effect on December 8, 2004, we submit that the changes did not affect this application. As shown by the enclosed postcard receipt, the Response to Notice to File Missing Parts was received in the mailroom on December 6, 2004 and the fees authorized by the Response to be paid by credit card were processed with American Express on December 7, 2004 as shown by the enclosed copy of our account summary. The sum of \$323.00 equals the charge of \$108.00 required by the Notice to File Missing parts and the \$215.00 fee for a two-month extension of time to file the Response.

Applicant's attorneys are including herewith two charge authorizations, one for \$765.00 to cover the request for an extension of time through February 2, 2005 and one for the \$100 fee set forth in the Notice of Incomplete Reply. This is being done to ensure that the application does not go abandoned. However, in the absence of any response to our phone calls and phone messages and in the absence of any explanation why the additional \$100 fee is being requested we are asking that these fees be waived or, if processed, that they be immediately refunded and that the Office acknowledge this in writing, preferably by email, and acknowledge that the application remains in good standing. Our email address is jerryschulman@ameritech.net.

If the Office needs further information please call the undersigned at 630.627.4552 or 630.205.4552.

Respectfully submitted,  
  
Jerry A. Schulman  
Registration No. 27,834

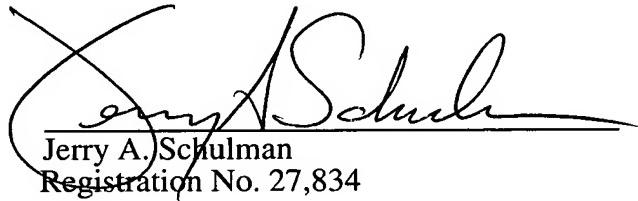
Law Offices of Jerry A. Schulman  
Terrace Executive Center  
Court C  
1 S. 376 Summit Avenue  
Oakbrook Terrace, Illinois 60181

Telephone: (630)627-4552  
Facsimile: (630)627-2145  
Mobile: (630)205-4552

**CERTIFICATE OF MAILING**

Date of Deposit: January 31, 2005

I hereby certify that the foregoing correspondence, consisting of RESPONSE TO NOTICE OF INCOMPLETE REPLY, is being deposited with the United States Postal Service as first class mail, postage prepaid, on the date indicated above and is addressed to Mail Stop Missing Parts, Commissioner for patents, P.O. Box 1450, Alexandria VA 22313-1450



~~Jerry A. Schulman~~  
Jerry A. Schulman  
Registration No. 27,834

Law Offices of Jerry A. Schulman  
Terrace Executive Center, Court C  
1 South 376 Summit Avenue  
Oakbrook Terrace, Illinois 60181

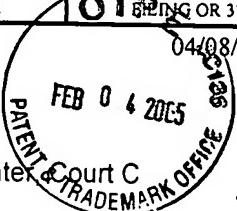
Telephone: (630)627-4552  
Facsimile: (630)627-2145  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

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 United States Patent and Trademark Office  
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 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	OATH OR DECLARATION OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/820,522	04/08/2004	Joseph L. Arvin	10224-2-2



Jerry A. Schulman  
 Terrace Executive Center, Court C  
 One South  
 376 Summit Avenue  
 Oakbrook Terrace, IL 60181

CONFIRMATION NO. 8343  
 FORMALITIES LETTER



\*OC000000013416144\*

Date Mailed: 08/02/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$43 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$108 for a Small Entity

- \$65 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$43
  - \$43 for 3 independent claims over 3.

D. Stephens

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART I - ATTORNEY/APPLICANT COPY

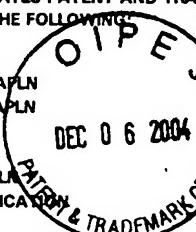


ATTORNEY DOCKET: 10224-2-2

APPLICANT: ARROW GEAR COMPANY  
SERIAL NO.: 10/820,522  
FILING DATE: 04 APR 2004  
TITLE: APPARATUS AND METHOD FOR MACHINING WORKPIECES

THE STAMP OF THE UNITED STATES PATENT AND TRADEMARK OFFICE MAILROOM HEREON  
ACKNOWLEDGES RECEIPT OF THE FOLLOWING:

- LETTER OF TRANSMITTAL
- ORIGINAL UTILITY PATENT APLN
- ORIGINAL DESIGN PATENT APLN
- CONTINUATION APLN
- DIVISIONAL APLN
- CONTINUATION-IN-PART APLN
- PROVISIONAL PATENT APPLICATION
- COVER SHEET (PTO SB/16)
- \_\_\_\_\_ PAGES OF SPECIFICATION
- \_\_\_\_\_ SHEETS FORMAL DRAWINGS
- \_\_\_\_\_ SHEETS INFORMAL DRAWINGS
- DECLARATION & POWER OF ATTORNEY
- REQUEST FOR STATUS
- COMMUNICATION TO EXAMINER
- RESPONSE TO RESTRICTION REQ'T
- INFORMATION DISCLOSURE STATEMENT

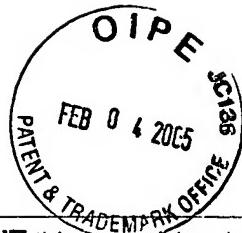


*NOTICE*

- RESPONSE TO OFFICE ACTION
- RESPONSE TO FINAL OFFICE ACTION
- CHANGE OF ADDRESS NOTICE
- EXT OF TIME UNDER 1.136
- ISSUE FEE PAYMENT PTO 85
- MAINTENANCE FEE PAYMENT PTO 1536
- PETITION TO COMMISSIONER
- NOTICE OF APPEAL
- APPEAL BRIEF (TRIPPLICATE)
- ASSIGNMENT TO RECORD
- ASSIGNMENT COVER SHEET PTO 1595
- CHECK FOR \$ 108 4215
- CREDIT CARD AUTH. FOR \$ 108 4215
- MAILING CERTIFICATE
- EXPRESS MAIL CERTIFICATE
- OTHER



Cards

**ONLINE STATEMENT** this is not a legal statement.**JERRY A SCHULMAN**

Closing Date: Jan 3, 2005

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